

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION 2017-**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, AUTHORIZING A SIXTY-DAY EXTENSION OF A ZONING IN PROGRESS RELATED TO WIRELESS COMMUNICATIONS FACILITIES AND AUTHORIZING THAT THE RATE FOR COLLOCATION OF SMALL WIRELESS FACILITIES ON CITY-OWNED OR CONTROLLED UTILITY POLES BE SET AT THE MAXIMUM RATE OF \$150 ANNUALLY, AS AUTHORIZED BY FLORIDA STATUTES § 337.401(7)(f)(3).

**WHEREAS**, on July 11, 2017, the Commission adopted Resolution No. 2017-205 (the “Zoning in Progress Resolution”) issuing a Zoning in Progress in accordance with Article 3, Division 7 of the Zoning Code for the consideration of Zoning Code Text Amendments to Article 5, Division 20 “Telecommunications” addressing wireless communications facilities and Article 8 “Definitions,” to implement the recently passed Florida legislation known as the “Advanced Wireless Infrastructure Deployment Act;” and

**WHEREAS**, the Zoning in Progress Resolution is for a period not to exceed the first regularly scheduled City Commission meeting after one hundred twenty (120) days, which is scheduled for December 5, 2017; and

**WHEREAS**, additional time is necessary to develop the amendments to the Zoning Code and City Code; and

**WHEREAS**, the City Commission finds that the public interest requires an extension of the Zoning in Progress Resolution for an additional sixty (60) days and that such extension is reasonably necessary; and

**WHEREAS**, the Advanced Wireless Infrastructure Deployment Act, Florida Statutes § 337.401(7)(f)(5), requires that the City make available its rates, fees, and terms for the collocation of small wireless facilities on City-owned or controlled utility poles by the later of January 1, 2018 or 3 months after receiving a request to collocate its first small wireless facility on a utility pole owned or controlled by the City; and

**WHEREAS**, nothing in this Resolution shall affect or waive the City’s right to establish applicable regulations by Ordinance to implement the Advanced Wireless Infrastructure Deployment Act, consistent with applicable law; and

**WHEREAS**, the City Commission desires to set the rate for collocation of small wireless facilities on City-owned or controlled utility poles at the maximum rate under applicable law, of \$150 annually, as authorized by Florida Statutes § 337.401(7)(f)(3).

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** That the foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the City Commission authorizes an extension of the Zoning in Progress Resolution through a period not to exceed the first regularly scheduled City Commission meeting after sixty (60) days from December 5, 2017.

**SECTION 3.** The City Commission authorizes that the rate for collocation of small wireless facilities on City-owned or controlled utility poles should be set at the maximum rate allowed under applicable law, currently \$150 annually, as authorized by Florida Statutes § 337.401(7)(f)(3).

**SECTION 4.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2017.

(Moved: / Seconded:)

(Yeas: )

(; Vote)

APPROVED:

RAÚL VALDÉS-FAULI  
MAYOR

ATTEST:

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

WALTER J. FOEMAN  
CITY CLERK

CRAIG E. LEEN  
CITY ATTORNEY